GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

W.R. (LA) Department – Somasila Project – Lands, Trees & Structures acquired vide Award No.43/1999-2000, dated:04.08.1999 in R.No.IV of Ramamambapuram (V), Nandalur (M), Annamayya (erstwhile YSR Kadapa) District – Compensation paid – Applications filed U/s 18 of L.A. Act – Order dated:31.12.2009 in LAOP No.536/2002 of the 1st Addl. District Judge Court, Kadapa – Order dated:23.07.2018 in LAAS No.11/2016- Orders dated:27.09.2022 in WP.No.29800/2022 – Decretal charges for an amount **Rs.2,21,95,594/-** (including Income Tax of Rs.17,22,344/-) – Sanctioned – Orders – Issued.

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WATER RESOURCES (LA) DEPARTMENT

G.O.Rt.No.93 Dated:01.03.2023

Read the following:

1. Orders dated:27.09.2022 in WP.No.29800/2022 of the Hon'ble High Court of AP.
2. Letter No.Land-Acquisition.II(B)/269/2023, dated:09.02.2023 of the Chief Commissioner of Land and Administration & Spl. CS., A.P., APIIC Towers, Mangalagiri.

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ORDER:

In view of the orders passed by the Hon'ble High Court of Andhra Pradesh in the reference 1st read above and keeping in view the circumstances reported by the Chief Commissioner of Land Administration and Special Chief Secretary to Government, Andhra Pradesh, APIIC Towers, Mangalagiri in the reference 2nd read above, Government after careful examination of the matter, hereby accord sanction for an amount of **Rs.2,21,95,594/-** (Rupees Two Crores Twenty One Lakhs Ninety Five Thousand Five Hundred and Ninety Four only) (including Income Tax of Rs.17,22,344/-) towards decretal charges for depositing the same in the 1st Addl. District Judge Court, Kadapa against LAOP No.536/2002 as ordered by the Hon'ble High Court of A.P., Hyderabad in LAAS No.11/2016, dated:23.07.2018 and subsequent orders dated:27.09.2022 in WP No.29800/2022 in connection with the Lands, Trees & Structures in R.No.IV of Ramamambapuram (V), Nandalur (M), Annamayya District acquired through Award No.43/1999-2000, dated :04.08.1999, subject to condition that,-

i. verification whether the reference under section 18(1) of the L.A. Act is made to the Lower Court after following all the guidelines / directions on the subject;
ii. in case, it is detected that, section 18 reference was made contrary to the rules/guidelines issued by the Government / Chief Commissioner of Land Administration, Andhra Pradesh, immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition;
iii. confirmation of concerned Chief Engineer, WRD as to the extent of land acquired;
iv. to review the interest calculations as per the specific Government orders issued (duly furnishing) and also outcome of the court cases, if any;
v. to ensure the correctness of the estimates and duly obtaining undertaking from the concerned to recover the excess amount paid, if any;
vi. to confirm that, no appeal has been filed in this case; and
vii. the Special Collector (LA), GNSS, Kadapa shall verify at his level thoroughly the calculations made by the Land Acquisition Officer with reference to the decree and instructions issued by the Government / Chief Commissioner of Land Administration, AP on the subject matter from time to time, to avoid excess and double payment before depositing the above sanctioned decretal amount in the respective Lower Court, and

2. The expenditure sanctioned in para (1) above, shall be debited to the Head of Account "4700 - COL on Major Irrigation; 01 – Major Irrigation; MH.112 Somasila Project - G.H. (11) – Normal State Plan; S.H. (26) Dam and Appurtenants works; 530 Major Works; 532 – Lands (Charged)".

3. Further, Government is advised the Chief Commissioner of Land Administration and Special Chief Secretary to Government, Andhra Pradesh, APIIC Towers, Mangalagiri to take action against the concerned for submitting the proposal after a lapse of more than (4) years from the date of Judgment of Hon'ble High Court i.e., on 23.07.2018.

4. The Chief Commissioner of Land Administration and Special Chief Secretary to Government, Andhra Pradesh, Mangalagiri / the Special Collector (LA), GNSS, YSR Kadapa shall take further necessary action in the matter, accordingly.

5. This order issues with the concurrence of Finance Department vide their U.O.No.FIN01-FMU0MRAS(WR2)/22/2023-FMU-WR-II (Computer No.2000134), Dated:28.02.2023.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration and Special Chief Secretary to Government, Andhra Pradesh, APIIC Towers, Mangalagiri.
The Special Collector (LA), GNSS, YSR Kadapa.

Copy to:
The Chief Engineer (P), NTR TGP, Tirupati.
The Accountant General, Andhra Pradesh, Vijayawada.
The Director of Works Accounts, Vijayawada.
The Finance (FMU-WR-II) Department.
The P.S to Minister (WRD).
The P.S to Prl. Secy., to Government (WRD).
File No.ICD01/1770/2022-LA (Com. No.1904574).
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER